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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/631,884	08/04/2000	Jyotirmoy Paul	50277-0352	1893
29989	7590	09/30/2004	EXAMINER	
HICKMAN PALERMO TRUONG & BECKER, LLP 1600 WILLOW STREET SAN JOSE, CA 95125			HILLERY, NATHAN	
			ART UNIT	PAPER NUMBER

2176

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/631,884

Applicant(s)

PAUL ET AL.

Examiner

Nathan Hillery

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-10, 12-17, 19, 20 and 23-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-10, 12-17, 19, 20 and 23-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/25/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: RCE filed on 6/25/04.
2. Claims 1 – 4, 6 – 10, 12 – 17, 19 – 20, and 23 – 28 are pending in the case.
Claims 1, 8, 12, and 14 are independent.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/25/04 has been entered.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 – 3, 6 – 10, 12 – 16, 19 – 20, and 23 – 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bayeh et al. and further in view of Boag et al. and Monday (previously cited).
6. **Regarding independent claim 1**, Bayeh et al. teach that *the role of the data servlet is only to retrieve data from a database* (Column 8, lines 6 – 7) and that *before*

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the data servlet can pass data to another servlet ... it must format that data ... in the preferred embodiment of the present invention, the data servlet formats its output as an XML data stream (Column 8, lines 13 – 18). Bayeh et al. do not explicitly teach

identifying the client device type of the particular client, reading metadata that indicates how to convert said XML output to output for said client device type, ... converting the XML output for said client device type, and providing the output for said client device type to said particular client. However Boag et al. do teach that ... *the selected style sheets are tailored to the client device ... this is done by inspecting the value of the UserAgent field of the HTTP request header with which the document was requested. This UserAgent value will identify the browser running on the client device. (Alternatively, protocols such as CC/PP may be available for querying the device/browser to determine its capabilities dynamically.) (Column 10, lines 42 – 50), which provides for*

identifying the client device type of the particular client. In addition, Boag et al. also teach that *selecting one or more style sheets to transform a particular input document; determining whether a client device is capable of applying the selected style sheets; applying the selected style sheets at the client device when the determining has a positive result; and applying the selected style sheets at a server when the determining has a negative result (Column 4, lines 29 - 36) and that the input document may be encoded in Extensible Markup Language (XML). The style sheets may be encoded in a style sheet language such as Extensible Stylesheet Language (XSL) (Column 5, lines 8 – 11), which provide for*

reading metadata (XSL) selected based on the client device type, wherein metadata indicates how to convert said

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XML output to output for said client device type. Further, it would be obvious to one with ordinary skill in the art at the time of the invention to know that Boag et al.'s invention is capable of ... **converting the XML output for said client device type**, since Boag et al. further teach that *XML is emerging as a powerful methodology for representing document content, due to its ability to store data in a self-defining, portable manner. Style sheet languages such as XSL, along with their associated processors, are powerful tools for ... transforming documents encoded in one markup language into other markup languages such as HTML (HyperText Markup Language) or WML (Wireless Markup Language) (Column 2, lines 20 – 28).* Also, Boag et al. teach that *if the client device cannot apply style sheets, then they are applied at the server, and the resulting document is sent to the client; otherwise, the document may be sent to the client, where the client will perform the application process (Abstract, lines 7 – 11),* which provides for **providing the output for said client device type to said particular client.** It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the invention of Bayeh et al. with that of Boag et al. because such a combination would allow *dynamic determination of the most appropriate location for applying style sheets (first sentence of Boag et al.'s Abstract) used by the rendering servlet for parsing the XML data stream (last sentence of Bayeh et al.'s Abstract).* Neither Boag et al. nor Bayeh et al. explicitly teach **converting the data ... by...** However, Monday teaches that *the bridge identifies and invokes the data access component corresponding to the data request (step 430). In relation to FIG. 2, this means that bridge 125 determines which JavaBean corresponds to the data type of the*

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request. We assume that JavaBean #2 (220) corresponds to the data type of the request. Next, the markup language translator converts the element tags in the markup language data request to corresponding method calls on the applicable data access component (step 440). For the example of FIG. 2, this means that XML translator 226 in bridge 125 converts the request for each piece of data to a corresponding method call on JavaBean #2 (220). Once the element tags in the markup language data request have been translated to method calls, the markup language translator invokes these methods on the data access component, and the retrieved data is placed into a markup language document defined by the DTD corresponding to the data type of the data request (step 450). Thus, XML translator 226 in bridge 125 invokes one or more methods on JavaBean #2 (220), which causes JavaBean #2 (220) to retrieve the requested data from OO database 228. JavaBean #2 (220) then returns the retrieved data to XML translator 226 in bridge 125, which constructs an XML document with the retrieved data. At this point, the return document is sent to the client (step 460), which means in FIG. 2 that bridge 125 sends the return document to client 123 via XML interface 224 (Column 7, lines 42 – 67) and that as new data types are added to the database, corresponding document type definitions (DTDs) may be dynamically generated, allowing a user to access new kinds of data in a database with a software tool that has a user-friendly graphical user interface without having to manually update the software tool for each new data type that is added to the database (Column 1, lines – 59 – 65), which provide for **converting the data that is to be transmitted from the database application to the particular client into an XML output without regard to**

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the device type of the particular client by; identifying a data type to which the data corresponds, wherein the data type reflects a type of the data that is read out of the database; selecting from a plurality of document type definitions, a document type definition associated with said data type; and converting the data to XML output based on said selected document type definition. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Boag et al. and Bayeh et al. with that of Monday because such a combination would provide the users of Boag et al. and Bayeh et al. the benefit of *an apparatus and method that defines a markup language for accessing data in a database* (Column 1, lines 49 – 51).

7. **Regarding dependent claim 2**, Bayeh et al. do not explicitly teach **reading metadata includes reading an XSL style sheet ... and converting the output includes applying the XSL style sheet to said XML output.** However, Boag et al. do teach that *selecting one or more style sheets to transform a particular input document; determining whether a client device is capable of applying the selected style sheets; applying the selected style sheets at the client device when the determining has a positive result; and applying the selected style sheets at a server when the determining has a negative result* (Column 4, lines 29 - 36) and that *the input document may be encoded in Extensible Markup Language (XML). The style sheets may be encoded in a style sheet language such as Extensible Stylesheet Language (XSL)* (Column 5, lines 8 – 11), which provide for **reading metadata includes reading an XSL style sheet ...** . Further, it would be obvious to one with ordinary skill in the art at the time of the

invention to know that Boag et al.'s invention provides for **converting the output includes applying the XSL style sheet to said XML output**, since Boag et al. further teach that *XML is emerging as a powerful methodology for representing document content, due to its ability to store data in a self-defining, portable manner. Style sheet languages such as XSL, along with their associated processors, are powerful tools for ... transforming documents encoded in one markup language into other markup languages such as HTML (HyperText Markup Language) or WML (Wireless Markup Language)* (Column 2, lines 20 – 28). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the invention of Bayeh et al. with that of Boag et al. because such a combination would allow *dynamic determination of the most appropriate location for applying style sheets* (first sentence of Boag et al.'s Abstract) *used by the rendering servlet for parsing the XML data stream* (last sentence of Bayeh et al.'s Abstract).

8. **Regarding dependent claim 3**, the claim incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale.

9. **Regarding dependent claim 6**, Bayeh et al. teach that *in the preferred embodiment of the present invention, the data servlet formats its output as an Extensible Markup Language ("XML") data stream* (Column 8, lines 17 – 19) and that *according to the present invention, the XML data stream 97 is passed on to a "rendering servlet" 85. The function of the rendering servlet 85 is to render the data it receives into a presentation format* (Column 8, lines 30 – 35), which provide for **the XML output**

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includes display instruction data indicating that said data is to be displayed in a first manner.

10. Regarding dependent claim 7, Bayeh et al. do not explicitly teach **the step of converting the XML output includes the step of generating output for said client device type that causes said data to be displayed in a second manner that is different than said first manner when said client device type is not able to display said data in the first manner.** However, Boag et al. do teach that *the style sheet may contain dynamic parameter syntax for an element such as "<HEIGHT>", so that a scaling factor can be applied during the rendering process to scale the document for the height of the particular display on which it will be presented. The translation process will substitute the retrieved value for the dynamic parameter syntax* (Column 12, lines 14 – 20), which provide for **the step of converting the XML output includes the step of generating output for said client device type that causes said data to be displayed in a second manner that is different than said first manner when said client device type is not able to display said data in the first manner.** It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the invention of Bayeh et al. with that of Boag et al. because such a combination would allow *dynamic determination of the most appropriate location for applying style sheets* (first sentence of Boag et al.'s Abstract) *used by the rendering servlet for parsing the XML data stream* (last sentence of Bayeh et al.'s Abstract).

11. Regarding independent claim 8, the claim incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale.

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12. **Regarding dependent claim 9**, the claim incorporates substantially similar subject matter as claim 2, and is rejected along the same rationale.

13. **Regarding dependent claim 10**, Bayeh et al. do not explicitly teach **the step of sending the second data to the client includes sending the data to a server to which the client is connected through a wireless connection, and then sending the data from the server to the client over said wireless connection**. However, Boag et al., in Figure 2, teach the capability of **the step of sending the second data to the client includes sending the data to a server to which the client is connected through a wireless connection, and then sending the data from the server to the client over said wireless connection**. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the invention of Bayeh et al. with that of Boag et al. because such a combination would allow *dynamic determination of the most appropriate location for applying style sheets* (first sentence of Boag et al.'s Abstract) *used by the rendering servlet for parsing the XML data stream* (last sentence of Bayeh et al.'s Abstract).

14. **Regarding independent claim 12**, Bayeh et al. teach, in Figure 4, **a database system (88') and a database application operatively coupled to said database system (82')**. Bayeh et al. also teach that *the role of the data servlet is only to retrieve data from a database 88': it does no presentation formatting of that retrieved data. The data servlet 83 receives the search request 80', queries a database 88' using database query statements 86' appropriate to the particular database, and receives the query results 90'. At that point, the data retrieval function of the data servlet 83 is complete.*

*Before the data servlet 83 can pass data to another servlet for further processing, it must format that data in a manner that allows the next servlet to read and correctly interpret the data. In the preferred embodiment of the present invention, the data servlet formats its output as an Extensible Markup Language ("XML") data stream (Column 8, lines 6 – 18), which provides for **said database application including application logic ... and an XML processor ...**. Bayeh et al. do not explicitly provide for **an XSL processor ...**. However, it would be obvious to one with ordinary skill in the art at the time of the invention to know that Boag et al.'s invention provides for **an XSL processor...**, since Boag et al. further teach that *XML is emerging as a powerful methodology for representing document content, due to its ability to store data in a self-defining, portable manner. Style sheet languages such as XSL, along with their associated processors, are powerful tools for ... transforming documents encoded in one markup language into other markup languages such as HTML (HyperText Markup Language) or WML (Wireless Markup Language) (Column 2, lines 20 – 28)*. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the invention of Bayeh et al. with that of Boag et al. because such a combination would allow *dynamic determination of the most appropriate location for applying style sheets (first sentence of Boag et al.'s Abstract) used by the rendering servlet for parsing the XML data stream (last sentence of Bayeh et al.'s Abstract)*.*

15. **Regarding dependent claim 13**, Bayeh et al. do not explicitly teach **a plurality of servers operatively coupled to said database application, said plurality of servers including at least a first server ... , a plurality of clients including a first**

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client that interacts with said database application ... However, Boag et al. teach that FIG. 2 illustrates a data processing network 40 in which the present invention may be practiced. The data processing network 40 may include a plurality of individual networks, such as wireless network 42 and network 44, each of which may include a plurality of individual workstations 10. Additionally, as those skilled in the art will appreciate, one or more LANs may be included (not shown), where a LAN may comprise a plurality of intelligent workstations coupled to a host processor. Still referring to FIG. 2, the networks 42 and 44 may also include mainframe computers or servers, such as a gateway computer 46 or application server 47 (which may access a data repository 48). A gateway computer 46 serves as a point of entry into each network 44. The gateway 46 may be preferably coupled to another network 42 by means of a communications link 50a. The gateway 46 may also be directly coupled to one or more workstations 10 using a communications link 50b, 50c (Column 5, lines 63 – 67 and Column 6, lines 5 – 13), which provides for **a plurality of servers operatively coupled to said database application, said plurality of servers including at least a first server ... , a plurality of clients including a first client that interacts with said database application ...** It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the invention of Bayeh et al. with that of Boag et al. because such a combination would allow *dynamic determination of the most appropriate location for applying style sheets* (first sentence of Boag et al.'s Abstract) *used by the rendering servlet for parsing the XML data stream* (last sentence of Bayeh et al.'s Abstract).

16. **Regarding independent claim 14**, the claim incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale.

17. **Regarding dependent claim 15**, the claim incorporates substantially similar subject matter as claim 2, and is rejected along the same rationale.

18. **Regarding dependent claim 16**, the claim incorporates substantially similar subject matter as claim 3, and is rejected along the same rationale.

19. **Regarding dependent claim 19**, the claim incorporates substantially similar subject matter as claim 6, and is rejected along the same rationale.

20. **Regarding dependent claim 20**, the claim incorporates substantially similar subject matter as claim 7, and is rejected along the same rationale.

21. **Regarding dependent claim 23**, neither Boag et al. nor Bayeh et al. explicitly teach ... **dumb terminal** ... However, Monday do teach that *terminal interface 140 is used to directly connect one or more terminals 165 to computer system 100. These terminals 165, which may be non-intelligent (i.e., dumb) terminals or fully programmable workstations, are used to allow system administrators and users to communicate with computer system 100* (Column 6, lines 21 – 26), which provides that **the client device identifier indicates at least one of a dumb terminal, a telnet terminal, a bar code scanner and a browser-less device**. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Boag et al. and Bayeh et al. with that of Monday because such a combination would provide the users of Boag et al. and Bayeh et al. the benefit of *an apparatus and method that defines a markup language for accessing data in a database* (Column 1, lines 49 – 51).

22. **Regarding dependent claim 24**, the claim incorporates substantially similar subject matter as claim 23, and is rejected along the same rationale.

23. **Regarding dependent claim 25**, the claim incorporates substantially similar subject matter as claim 23, and is rejected along the same rationale.

24. **Regarding dependent claims 26 – 28**, neither Boag et al. nor Bayeh et al. explicitly teach **the data type indicates...** However, Monday teaches that *the query element allows accessing one or more pieces of data based on criteria specified in a database query. A sample data request that conforms to the XML DTD in FIG. 5 is shown in FIG. 6. Line 610 indicates the version of XML, and whether the DTD is a standalone file, which means that the XML file contains all needed data. In line 610, standalone="no" because data is being retrieved from a database into the XML document. Line 620 specifies what type of document will be returned, namely CURRENCYREQUEST for the example of FIG. 6, and also specifies the DTD to be used, namely dataAccess.dtd of FIG. 5. Lines 630 and 660 are the begin and end tags, respectively, for the currency request (Column 8, lines 54 – 66), which provides that the data type indicates at least one of a data entry form, a queried data, a message, a form level query data and a field level query data.* It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Boag et al. and Bayeh et al. with that of Monday because such a combination would provide the users of Boag et al. and Bayeh et al. the benefit of *an apparatus and method that defines a markup language for accessing data in a database* (Column 1, lines 49 – 51).

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25. Claims 4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boag et al. (previously cited) and Bayeh et al. (previously cited) and Monday (previously cited as applied to claims 1 – 3, 6 – 10, 12 – 16, 19 – 20, and 23 – 28 above, and further in view of Siyan (previously cited).

26. **Regarding dependent claim 4**, neither Bayeh et al., Boag et al., nor Monday explicitly teach **the particular client is a Telnet client, the Telnet client communicates with a Telnet server to request data from said database application or providing said output ... includes the steps of sending the output to said Telnet server and said Telnet server providing said output to said Telnet client**. However, Siyan teaches that *to support a TELNET session, you must have a TELNET client component running at the user's workstation and a TELNET server running at the remote host. A TCP/IP session is setup between the TELNET client and the TELNET server. As the user types the keyboard commands, the characters are received by the TELNET server ...* (page 94, second paragraph block), which provides for **the particular client is a Telnet client, the Telnet client communicates with a Telnet server to request data from said database application** (page 103, Figure 2.17), and that *the results of the commands are sent by the TELNET server to the TELNET client. The TELNET client displays the results received from the TELNET server on the user workstation's display unit* (page 94, last paragraph block), which provides for **providing said output ... includes the steps of sending the output to said Telnet server using a recipient specific format and said Telnet server providing said output to said Telnet client**. It would have been obvious to one with

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ordinary skill in the art at the time of the invention to combine the teachings of Siyan with the combined inventions of Boag et al., Bayeh et al., and Monday because those skilled in the art know that *frequently, the term TCP/IP is used to refer to a group of protocols related to the TCP and IP protocols such as ... Terminal Emulation Protocol (TELNET)* (Siyan, page 11, last sentence), since the combined invention utilizes (TCP/IP) (Boag et al., Figure 2).

27. **Regarding dependent claim 17**, the claim incorporates substantially similar subject matter as claim 4, and is rejected along the same rationale.

Response to Arguments

28. Applicant's arguments with respect to claims 1, 8, 12, and 14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (703) 305-4502. The examiner can normally be reached on M - F, 6:30 a.m. - 3:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

NH